

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-4386**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

THOMAS ANDREW MILLS, a/k/a Thomas Andrew  
Mills, Jr., a/k/a Andrew Mills, a/k/a Thomas  
Mills, Jr., a/k/a Thomas Anderson Mills,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. W. Earl Britt, Senior  
District Judge. (CR-03-249-BR)

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Submitted: March 25, 2005

Decided: May 4, 2005

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Before WILKINSON, LUTTIG, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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J. Clark Fischer, RANDOLPH & FISCHER, Winston-Salem, North  
Carolina, for Appellant. Frank D. Whitney, United States Attorney,  
Anne M. Hayes, Christine Witcover Dean, Assistant United States  
Attorneys, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Thomas Andrew Mills was convicted by a jury of possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. § 922(g)(1) (2000). Mills appeals his conviction, asserting the district court erred by admitting evidence that the guns at issue were stolen. We affirm.

Because Mills' counsel failed to make a specific, timely objection, our review is for plain error. Fed. R. Evid. 103(a)(1). Mills must show: (1) there was error; (2) that is plain; (3) that affected his substantial rights; and (4) that "seriously affected the fairness, integrity or public reputation of judicial proceedings" to such a degree that this court is persuaded to exercise its discretion to correct the error. See United States v. Vonn, 535 U.S. 55, 62-63 (2002) (internal quotations omitted). Even if Mills has identified error that is plain, Mills fails to demonstrate the error affected his substantial rights in light of the overwhelming evidence that he constructively possessed the weapons.

Accordingly, we affirm Mills' conviction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED